

**REMARKS**

In accordance with the foregoing, claims 1-21 are amended. No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

Claims 1-21 are pending and under consideration.

Claims 1, 8, and 15 are rejected under 35 U.S.C. §112, first paragraph; claims 1-6, 8-13 and 15-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Bailey et al. (U.S.P. 5,835,084); and claims 7, 14, and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bailey in view of Kudoh et al (U.S.P. 5,948,058).

The rejections are traversed.

**Claim Amendments**

Independent claims 1, 8, and 15 using claims 1 as an example, are amended to recite that a device includes a holding unit, a method includes, "holding a state of "unread," which is determined on the basis of the unread/already-read information, of an electronic mail at a predetermined timing." Dependent claims 2, 9, and 16 are amended to correspond to respective independent claims and recite, using dependent claim 2 as an example, that the holding unit "holds a list in which each electronic mail with the state of "unread" stored in said storing unit at the predetermined timing is registered." (See for example, pages 25-31, starting at line 19, and FIGs. 1, 4, 10, and 11).

Dependent claims 3-7, 10-14, and 17-21 are amended to correspond to respective independent claims and for form.

No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

**Item 2: Rejection of claims 1, 8, 15 under 35 U.S.C. §112, first paragraph**

The Examiner rejects claims 1, 8, 15 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. (Action at page 2). Claims 1, 8, 15 are amended herein replacing the phrase —storing unread/already information— with "storing unread/already-read information."

Applicant submits claims 1, 8, and 15 (all as amended) comply with 35 U.S.C. §112, first paragraph and request withdrawal of the rejection.

**Item 3: Rejection of claims 1-6, 8-13 and 15-20 under 35 U.S.C. 102(b) as being anticipated by Bailey.**

**Item 4: Rejection of 4 claims 7,14 and 21 under 35 U.S.C. 103(a) as being unpatentable over Bailey in view of Kudoh.**

The Examiner rejects independent claims 1, 8, and 15 (and respective dependent claims claims 2-6, claims 9-13 and claims 16-19) under 35 U.S.C. §102(b) as being anticipated by Bailey, and dependent claims 7, 14, and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bailey in view of Kudoh. (Action at pages 3-8 and pages 8-9, respectively).

Conventional devices for reading and sorting electronic mail (e-mail) simply separate the e-mail as "unread" or "read" and sort the mail accordingly. However, a user may want to view an e-mail that has previously been read, for example, when confirming whether a plurality of the same e-mail have been received. With conventional devices and methods, a body of an e-mail that the user wants to see again has already been erased from a viewer window, and the user must redisplay the desired e-mail. Thus, conventional devices and methods do not facilitate the desires of users.

According to an aspect of the present invention, an electronic mail device, method, and program are capable of facilitating a mail search process in a redisplay of e-mail previously referred to.

Bailey teaches (See, for example, col. 2, lines 45-55) a method for distinguishing between read and unread messages in which:

... Heuristics are employed to determine whether the user is likely to be reading the message while it is displayed in the preview pane. ... If any heuristic condition is met, the message is marked as read.

Kudoh teaches (See, for example, col. 3, starting at line 30) an apparatus for displaying e-mail and an e-mail cataloging and retrieving system by which header information and classified state of all possessed e-mails can be seen simultaneously.

An *arguendo* combination of Bailey in view of Kudoh teaches a device and method in which if any heuristic condition is met, the message is marked as read and a cataloging and retrieving system by which header information and classified state of all possessed e-mails can be seen simultaneously.

In contrast to the cited art, independent claims 1, 8, and 15 (all as amended), using claim 1 as an example, recite a device for reading electronic mails, including "a storing unit storing unread/already-read information corresponding to each of received electronic mails; a holding unit holding a state of "unread," which is determined on the basis of the unread/already-read information, of an electronic mail at a predetermined timing; and a controller controlling a

management of reading of the electronic mail with the state of "unread" managed by said holding unit."

That is, a state of "unread" can be maintained regardless of whether a user actually read a corresponding e-mail. Therefore, when a user reads an e-mail again, the e-mail can be read out (searched or retrieved), easily, on a basis of the state of "unread" held e.g., by the holding unit.

Applicant submits that the cited art does not teach, for example "holding a state of "unread," which is determined on the basis of the unread/already-read information, of an electronic mail at a predetermined timing."

Bailey merely teaches that when an unread e-mail is read by a user, the unread e-mail is changed into an already-read e-mail. Bailey discusses merely that (col. 2, lines 54-55) "if any heuristic condition is met, the message is marked as read." Subsequently, an already-read mail is not distinguished from the read mail, and thus it is difficult for a user to find a previously read e-mail to read again.

That is, Bailey merely teaches a conventional unread/read management of e-mail. Kudoh does not teach or suggest, for example, a determination on a basis of already-read information at "a predetermined timing."

Applicant also submits that the Bailey does not teach storing "unread/already read information" in the lines cited by the Examiner i.e., Bailey, col. 3, lines 60-67. ( Action at page 4) Bailey just teaches that (col. 3 lines 60-61) "a message application 42 is stored in the non-volatile memory." Nothing in Bailey, in the lines cited discusses storing unread/already-read information.

Similarly, independent claims 8 and 15, both as amended, recite a storage medium readable by a computer tangibly embodying a program executable by the computer to perform a method, and a method, respectively, including "storing unread/already-read information corresponding to each of received electronic mails; holding a state of "unread," which is determined on the basis of the unread/already-read information, of an electronic mail setting a predetermined timing; and controlling a management of reading of the electronic mail with the held state of "unread."

Further, dependent claims recite features not taught, or suggested, by the cited art alone or in combination, for example, dependent claims 2, 9, and 16, as amended using claim 2 as an example, recite "wherein said storing unit stores the state of "unread" or a state of "already-read" of a corresponding electronic mail as the unread/already-read information, said holding unit

holds a list with which each electronic mail with the state of "unread" stored in said storing unit at the predetermined timing is registered; and said controller executes a process displaying a registered electronic mail in said list on a display according to a request for reading the registered electronic mail."

Applicant submits however, none of the cited art alone or in combination teach, for example, the recited feature of storing a state of "unread" or a state of "already-read" of a corresponding electronic mail as the unread/already-read information .

#### **Conclusion**

Since features recited by independent claims 1, 8, and 15 (and respective dependent claims 2-6, 9-13, and 16-19) (all as amended) are not taught or suggested by the cited art, alone or in combination, the rejection should be withdrawn and claims 1-21 allowed.

#### **Conclusion**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

October 25, 2004

By:

Paul W. Bobowiec  
Paul W. Bobowiec  
Registration No. 47,431

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

#### **CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450  
on October 25, 2004  
STAAS & HALSEY  
By: Paul W. Bobowiec  
Date: October 25, 2004